

Remarks/ Arguments

Upon entry of the foregoing amendments, claims 24, 25 and 30 to 41 will be pending in this patent application. Claims 26 to 29 have been canceled herein, without prejudice. Claims 24, 25, 30, and 34 have been amended. Support for the amendments is found throughout Applicants' specification such as, for example, at page 15, line 9 to page 21, line 16; and original claim 25. Claims 39 to 41 are new. Support for the new claims is found in Applicants' specification at, for example, original claims 7 to 9. No new matter has been added.

This paper is also a Request to Correct Inventorship pursuant to 37 C.F.R. § 1.48(b) and is accompanied by the appropriate fee of \$130.00 under 37 C.F.R. § 1.17(i).

The Action includes rejections under 35 U.S.C. § 102(e). In view of the following remarks, reconsideration and withdrawal of the rejections are requested respectfully.

Discussion of the Rejections Under 35 U.S.C. § 102(e)

Claims 24 to 38 have been rejected under §102(e) as allegedly being anticipated by U.S. patent Publication No. 2004/0144399 to McDermott et al. ("the McDermott publication"). Applicants respectfully traverse this rejection because the 399 publication does not disclose each and every element of the claimed invention as amended above. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ.2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

The present application has been amended such that claims 24 to 38 are the only pending claims. As such, Applicants' claimed invention defines a dense cleaning fluid comprising "at least one derivatized **etherified** acetylenic alcohol or a derivatized **etherified** acetylenic diol wherein the derivatized **etherified** alcohol or the derivatized **etherified** diol

comprises at least one interactive functional group selected from the group consisting of an amine, an acid, an ester, a nitrile, a carbonate, and combinations thereof" (*see, .e.g.,* claim 24) (emphasis added).

The Action mistakenly alleges that claims 24-38 are anticipated by the McDermott publication because the McDermott publication at Table II (page 8) discloses that Surfynol™ and Dynol™ surfactants are used in conjunction with the dense fluids described therein (Action at 2-3). Significantly, however, the Surfynol™ and Dynol™ surfactants that are included in Table II of the McDermott publication are not derivatized **etherified** acetylenic alcohols or derivatized **etherified** acetylenic diols as defined by Applicants' claims. In support, Applicants submit herewith a declaration pursuant to 37 C.F.R. § 1.132 of Dr. Gene Parris, one of the inventors of the claimed subject matter. Dr. Parris has confirmed that the Surfynol™ and Dynol™ surfactants disclosed in Table II of the McDermott publication are **not** derivatized etherified acetylenic alcohols or derivatized etherified acetylenic diols, wherein the derivatized alcohol or the derivatized diol comprises at least one interactive functional group selected from the group consisting of an amine, an acid, an ester, a nitrile, a carbonate, and combinations thereof (Parris Dec. at ¶ 10). Thus, for at least this reason, the McDermott publication does not teach or suggest each and every limitation of the pending claims. Accordingly, reconsideration and withdrawal of the rejection are requested respectfully.

Request to Correct Inventorship Pursuant to 37 C.F.R. § 1.48(b)

A Request to correct the inventive entity is filed herewith to request that inventors Christopher Mammarella, Keith Fabregas, and Bridget O'Brien be deleted from the originally submitted inventive entity pursuant to 37 C.F.R. § 1.48(b). The subject matter to which Mr. Mammarella, Mr. Fabregas, and Ms. O'Brien contributed as inventors is no longer being

Appl. No. 10/737,203

claimed in the present patent application as a result of the cancellation of Claims 1 to 23.

Accordingly, Applicants request that the inventive entity be amended to deleted Mr.

Mammarella, Mr. Fabregas, and Ms. O'Brien.

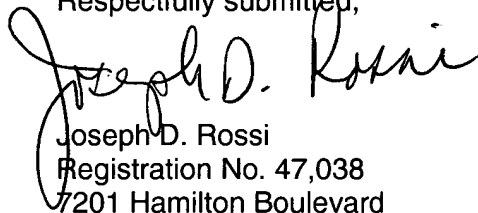
This Request is accompanied by the appropriate fee under 37 C.F.R. § 1.17(i).

Conclusion

Applicants believe that the foregoing constitutes a complete and full response to the Action of record. Applicants respectfully submit that this application is now in condition for allowance. Accordingly, an indication of allowability and an early Notice of Allowance are respectfully requested.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 01-0493 in the name of Air Products and Chemicals, Inc.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph D. Rossi". The signature is fluid and cursive, with the first name "Joseph" and last name "Rossi" clearly distinguishable.

Joseph D. Rossi
Registration No. 47,038
7201 Hamilton Boulevard
Allentown, PA 18195-1501
(610) 481-8169